IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.4857 of 2006

Larsen & Toubro Ltd. Petitioners
Vs.
Kantilal Champalal Kothari & ors. Respondents

Mr.Ravi Kadam, Sr.Counsel with Mr.Pankaj Sawant and Mrs. Rajeshri Rastogi i/b. M/s.Manilal Kher Ambalal & Co. for petitioners.

Mr.A.V.Anturkar for Resp.Nos.1, 2, 4 to 6, 8 and 9.

Mr.Yogesh H. Amenta for Resp.No.10.

CORAM: B.H.MARLAPALLE,J.

August 04, 2006.

P.C.

. Heard Mr.Kadam, the learned Senior Counsel with Mr.Sawant for the petitioner-Company and Mr.Anturkar, the learned counsel for the respondents. Having regards to the provisions of Section 42(4) of the Provincial Small Cause Courts Act, 1887 and an order of this Court in the case of Bajaj Auto Ltd. Vs. Mrs. Sharayu Gupta passed in Civil Revision Application No.146 of 2004 on 20/12/2004, the petitioner has a remedy of filing a civil revision application before the two-Judge Bench of the Small Causes Court, against the impugned order and when such a statutory remedy is available, it is not necessary to entertain this petition and the

petitioners must be relegated to the alternative remedy before the lower Court.

. Hence the petition is disposed off with liberty to the petitioners to file a civil revision application before the Small Causes Court (Bench of two Judges)

. The impugned order was stayed by the Small Causes Court for a period of two weeks from 12th July 2006 and the said stay order was continued for one week by this Court. Mr.Anturkar, the learned counsel for the respondents has made a statement that the amendments allowed by the impugned order will not be carried out till the next date i.e. 11/8/2006 before the Small Causes Court.

(B.H.MARLAPALLE,J.)